

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

MAR 12 2010

JOHN F. CONCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

JOHN T. NELSON,

Plaintiff,

v.

LORI GREEN, et al.,

Defendants.

CASE NO. 3:06CV00070

ORDERBy: B. WAUGH CRIGLER  
U.S. MAGISTRATE JUDGE

Upon conditions set forth from the bench at the March 12, 2010 hearing, it hereby is

## O R D E R E D

as follows:

(1) Plaintiff's February 17, 2010 Motion to Lift Stay, Enter Protective Order and Permit Filing of Amended Complaint is neither GRANTED nor DENIED at this time;

(2) Plaintiff forthwith is to assemble and make available to counsel for the defendants in this case all pleadings, transcripts, orders and other papers comprising the trial or appellate record in the proceedings which spawned this action under the following conditions:

- a. The state court materials shall be subject to the same protections afforded them by any protective order entered by the state trial or appellate courts, except that the content thereof may be disclosed to any defendant in this case, his or her counsel, the County Attorney of Albemarle County, Virginia and to the defendants' insurance companies;
- b. Any person to whom any such documents are disclosed, except counsel for the defendants in this case, must execute a statement under penalty of perjury acknowledging that the contents thereof are protected from further disclosure, and that any further

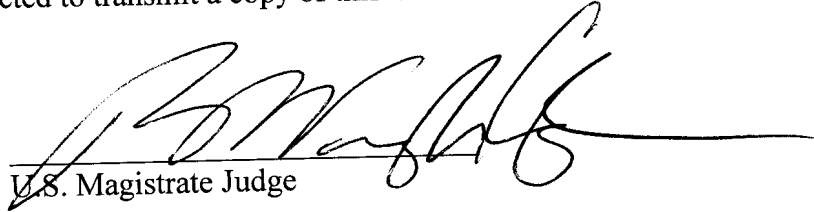
disclosure will subject them to sanctions by this court, including contempt and such sanctions as the state courts may impose. Counsel for the defendants are to preserve such statements until further order of the court;

(3) Plaintiff's verbal request made in open court to withdraw his proffered Amended Complaint is GRANTED. Plaintiff has until March 22, 2010 in which to proffer an Amended Complaint, certifying a copy thereof to opposing counsel;

(4) On April 13, 2010 at 9:30 a.m., the parties and the court will convene for a telephone status conference initiated by the court. At that time, the court will address whether the stay continues and whether plaintiff will be granted leave to amend the complaint.

The Clerk of the Court is hereby directed to transmit a copy of this Order to all counsel of record.

ENTERED:

  
U.S. Magistrate Judge

3-12-10  
Date